S.B. Civil Misc. Appeal No.229/2005

Hanja vs. Gotam Lal and others.

Date : 27.7.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. T Gupta, for the appellant.

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Heard learned counsel for the appellant.

In this case, the appellant suffered few injuries in which one of the injury is fracture in left leg. The appellant remained in hospital for 52 days. He produced the medical bills of Rs.10,000/- but the Tribunal awarded compensation of Rs.40,000/- on account of disability which the appellant suffered which was upto 25%. The Tribunal also awarded compensation of Rs.30,000/- for loss of income despite the fact that the appellant did not produce any material evidence to prove his income. The Tribunal awarded compensation of Rs.8,000/- on account of mental and physical agony despite the fact that the compensation of Rs.40,000/- was awarded on account of permanent disablement to the extent of 25%. Again, the compensation of Rs.10,000/- was awarded to the appellant on account of disablement. By this, a total of Rs.90,000/- has been awarded to the appellant as compensation.

Looking to the injuries which the appellant suffered as well as the disability, I do not think that the compensation awarded by the Tribunal can be said to be low

in any manner.

Accordingly, this appeal, having no merit, is hereby dismissed.

Keep this file a/w S.B. Civil Misc. Appeal No.230/2005.

(PRAKASH TATIA), J.

S.Phophaliya